AIRNOVATIONS CONFERENCE

TERP In Your State: Practical Aspects of Funding

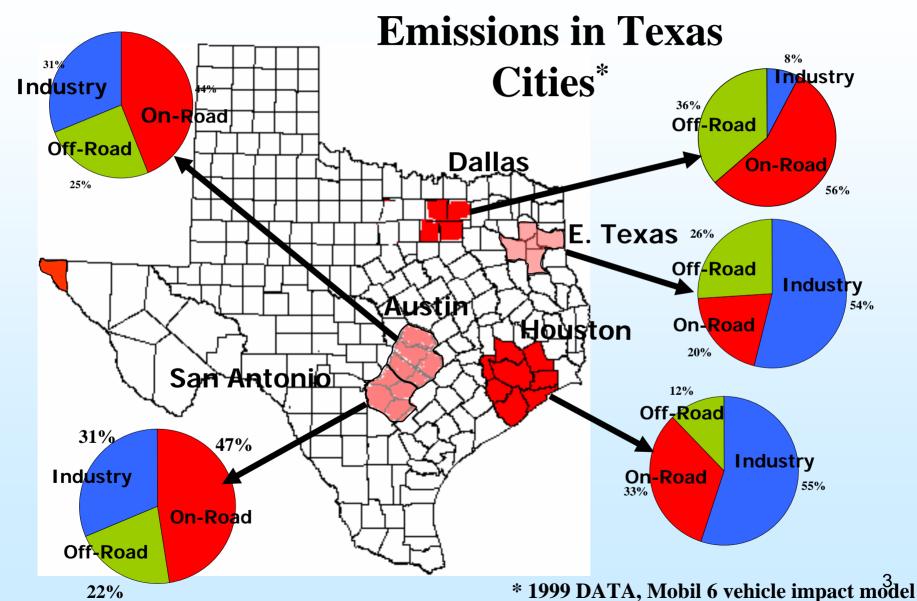
August 24-26, 2005
By Gregg Cooke
Guida, Slavich & Flores, P.C

Overview

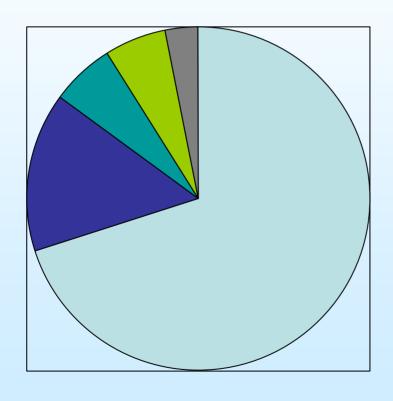
- TERP was created in 2001 by SB 5 (77th Texas Legislature) to provide grants and other incentives for improving air quality throughout the state
- Removed construction shift and Tier 2/3 accelerated purchase requirements from the State Implementation Plan for Dallas/Fort Worth and Houston/Galveston
- HB 1365, enacted in 2003, restored funding to the program and made other changes.
- In 2005, HB 2481 reauthorized TERP and extended the program until 2010
- Provides incentives, rebates, and grants for various types of clean air projects
- TERP is administered by the TCEQ and a number of other state agencies and boards



Sources of NOx



Revenue Sources for 2004



- □ Portion of Vehicle Certificate of Title Fee
- 2% Surcharge for Sale/Lease of Heavy Duty Diesel Vehicles
- 2.5% Surcharge for Sale/Lease of Pre-1997 Heavy-Duty Diesel Vehicles
- Registration Fees for Truck Tractors & Commercial Vehicles
- \$10 Fee on Commercial Motor Vehicles

Summary of Projects Funded

- Texas Commission on Environmental Quality
- Texas Emissions Reduction Plan (TERP)
- Emissions Reduction Incentive Grants Program
- Summary of Projects Funded to Date (by Emission Source)
- July 16, 2005

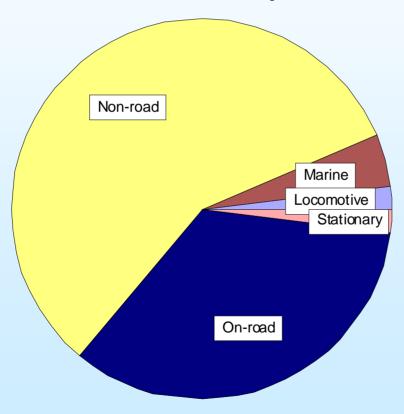
| Emission Source | No. of Projects | % of Total | Amount | % of Total | Total Tons of NOx |
|-----------------------|--------------------|---------------|------------------|---------------|-------------------|
| Total | 709 | | \$185,970,851.04 | | 39,367.5059 |
| Locomotive | 14 | 2.0% | \$35,103,494.14 | 18.88% | 7,191.2414 |
| Marine | 33 | 4.7% | \$19,985,220.34 | 10.75% | 6,076.2773 |
| Non-road | 406 | 7.3% | \$53,291,046.70 | 28.66% | 9,279.9705 |
| On-road | 243 | 34.3% | \$73,013,014.98 | 39.26% | 15,954.7882 |
| Stationary | 13 | 1.8% | \$3,352,594.88 | 1.80% | 620.8415 |
| Non-road TBD (RRC) | ?? | 0.0% | \$1,225,480.00 | 0.66% | 244.3870 |

Summary of Projects Funded Con't

| Emission Source | % of Total | Tons Per Day | % of Total | Cost Per Ton | Cost Per Ton Per Day |
|-----------------------|------------|--------------|------------|--------------|-------------------------|
| Total | | 22.4486 | | \$4,724 | \$8,284,296 |
| Locomotive | 18.3% | 3.4329 | 15.29% | \$4,881 | \$10,225,609 |
| Marine | 15.4% | 4.2462 | 18.92% | \$3,289 | \$4,706,613 |
| Non-road | 23.6% | 6.1910 | 27.58% | \$5,743 | \$8,607,825 |
| On-road | 40.5% | 7.9611 | 35.46% | \$4,576 | \$9,171,222 |
| Stationary | 1.6% | 0.4057 | 1.81% | \$5,400 | \$8,263,729 |
| Non-road TBD (RRC) | 0.6% | 0.2117 | 0.94% | \$5,000 | \$5,788,758 |

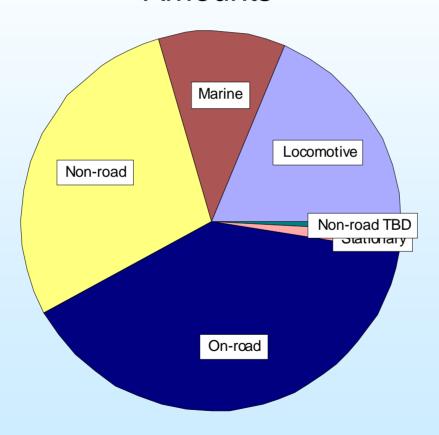
Number of TERP Projects

Number of Projects



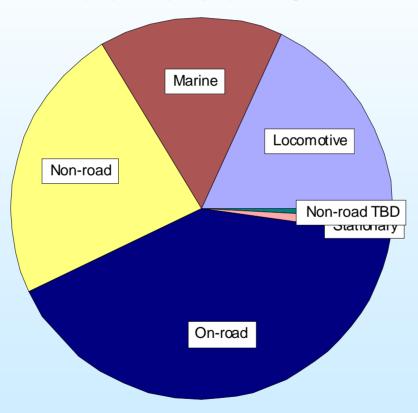
Amount of Grant

Amounts



Total Tons of NOx Reduced

Total Tons of NOx





TERP NOx Emissions Reductions for HGA and DFW Areas (TERP FYs 02, 03 & 04 Data as of November 02, 2004)

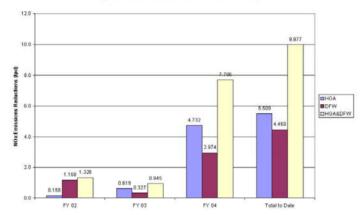


Figure 6-1. TERP NOx emission reductions for the HGB and DFW areas (TERP FYs 02, 03 and 04 data as of November 02, 2004).

TERP Funding for HGA and DFW Areas (TERP FYs 02, 03 & 04 Data as of November 02, 2004)

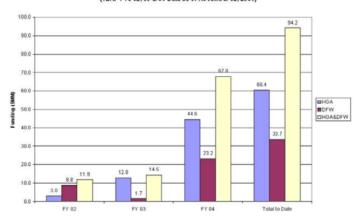


Figure 6-2. TERP funding to data for the HGB and DFW areas (TERP FYs 02, 03 and 04 data as of November 02, 2004).

As shown in Figure 6-1, the NOx emission reductions to date are about 5.5 and 4.5 tpd for the HGB and DFW areas, respectively. Figure 6-2 shows that the total TERP funding to date for the HGB and DFW areas are about \$60 and \$34 million dollars, respectively.